

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

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IN RE PAYMENT CARD INTERCHANGE FEE and MERCHANT-DISCOUNT ANTI-TRUST LITIGATION : MASTER FILE NO. 1:05-md-1720-JG-JO
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This Document Relates to: :
:
1:05-CV-3800 1:05-CV-5083 : NOTICE OF MOTION OF BANK DEFEN-
1:05-CV-3924 1:05-CV-5153 : DANTS TO DISMISS CLASS PLAIN-
1:05-CV-4194 1:05-CV-5207 : TIFFS' FIRST SUPPLEMENTAL CLASS
1:05-CV-4520 1:05-CV-5866 : ACTION COMPLAINT
1:05-CV-4521 1:05-CV-5868 :
1:05-CV-4728 1:05-CV-5869 :
1:05-CV-4974 1:05-CV-5870 :
1:05-CV-5069 1:05-CV-5871 :
1:05-CV-5070 1:05-CV-5878 :
1:05-CV-5071 1:05-CV-5879 :
1:05-CV-5072 1:05-CV-5880 :
1:05-CV-5073 1:05-CV-5881 :
1:05-CV-5074 1:05-CV-5882 :
1:05-CV-5075 1:05-CV-5883 :
1:05-CV-5076 1:05-CV-5885 :
1:05-CV-5077 1:06-CV-1829 :
1:05-CV-5080 1:06-CV-1830 :
1:05-CV-5081 1:06-CV-1831 :
1:05-CV-5082 1:06-CV-1832 :
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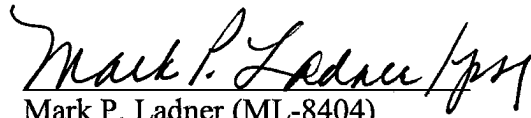
PLEASE TAKE NOTICE THAT, upon the accompanying Memorandum of Law, defendants Bank of America, Capital One, JPMorgan Chase, Citigroup and HSBC will move this Court for an order pursuant to Fed. R. Civ. Proc. 12(b)(6) to dismiss plaintiffs' First Supplemental Class Action Complaint.

Pursuant to the Stipulation and Scheduling Order entered by the Court on August 14, 2006, all opposition papers shall be served no later than forty-five days from the date on

which this motion is served, and all reply papers shall be served no later than thirty days from the date on which any such opposition papers are served.

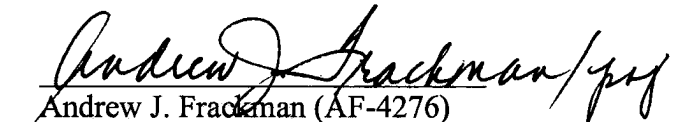
Dated: September 15, 2006

Respectfully submitted,

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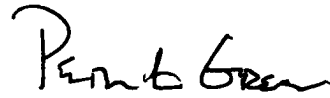
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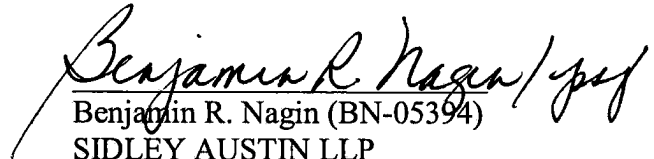
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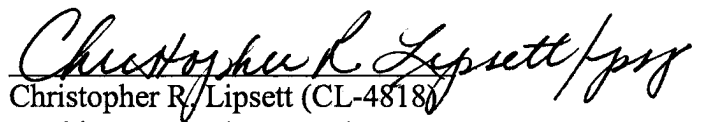
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CERTIFICATE OF SERVICE

I, Peter S. Julian, hereby certify that, on September 15, 2006, I caused a true copy of the foregoing NOTICE OF MOTION OF BANK DEFENDANTS TO DISMISS CLASS PLAINTIFFS' FIRST SUPPLEMENTAL CLASS ACTION COMPLAINT to be served via electronic mail and Federal Express, on this date to:

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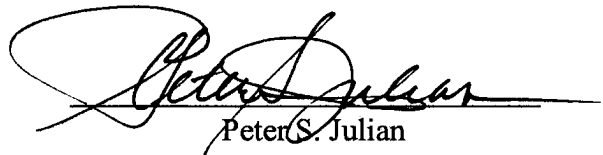
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September 15, 2006

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